

107TH CONGRESS
2D SESSION

H. R. 4945

To amend the Public Health Service Act to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for persons with disabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2002

Mr. GILCHREST introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to establish a program for promoting good health, disease prevention, and wellness and for the prevention of secondary conditions for persons with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Promotion and
5 Disease Prevention for Persons with Disabilities Act”.

1 **SEC. 2. ESTABLISHMENT OF HEALTH PROMOTION AND DIS-**
2 **EASE PREVENTION PROGRAM FOR PERSONS**
3 **WITH DISABILITIES.**

4 Part P of title III of the Public Health Service Act
5 (42 U.S.C. 280g et seq.) is amended by adding at the end
6 the following new section:

7 **“SEC. 3990. ESTABLISHMENT OF HEALTH PROMOTION AND**
8 **DISEASE PREVENTION PROGRAM FOR PER-**
9 **SONS WITH DISABILITIES.**

10 “(a) IN GENERAL.—The Secretary may make grants
11 to, or enter into contracts or cooperative agreements with,
12 public and nonprofit private entities for the purpose of
13 carrying out programs for promoting good health, disease
14 prevention, and wellness for persons with disabilities and
15 preventing secondary conditions in persons with disabil-
16 ities.

17 “(b) CERTAIN AUTHORIZED ACTIVITIES.—With re-
18 spect to promoting good health and wellness for persons
19 with disabilities described in subsection (a), activities for
20 which the Secretary may make a grant under such sub-
21 section include—

22 “(1) coordinating activities for preventing sec-
23 ondary disabling conditions; for health promotion,
24 disease prevention, disease prevention and wellness
25 for persons with disabilities;

1 “(2) conducting demonstrations and interven-
2 tions;

3 “(3) conducting surveillances and studies on
4 cost-effectiveness and efficacy of interventions;

5 “(4) studying the effects and costs of environ-
6 mental barriers for persons with disabilities;

7 “(5) educating the public; and

8 “(6) educating and training health professionals
9 (including allied health professionals) and con-
10 ducting activities to improve the clinical skills of
11 such professionals.

12 “(c) REPORTS TO SECRETARY.—The Secretary may
13 not make a grant under subsection (a) unless the appli-
14 cant for the grant agrees to submit to the Secretary such
15 reports as the Secretary may require with respect to the
16 grant.

17 “(d) PRIORITIES.—The Secretary shall establish a
18 National Advisory Committee on Health Promotion and
19 Disease Prevention for Persons With Disabilities which
20 shall set priorities to carry out this section and annually
21 evaluate the progress of the program under this section
22 in implementing the priorities.

23 “(e) REQUIREMENT OF APPLICATION.—The Sec-
24 retary may not make a grant under subsection (a) unless
25 an application for such assistance is submitted to the Sec-

1 retary and the application is in such form, is made in such
2 manner, and contains such agreements, assurances, and
3 information as the Secretary determines to be necessary
4 to carry out this section.

5 “(f) LIMITATION REGARDING EDUCATION OF
6 HEALTH PROFESSIONALS.— In making grants under sub-
7 section (a), the Secretary may not, for activities described
8 in subsection (b)(6), obligate more than 10 percent of the
9 amounts appropriated under subsection (k) for any fiscal
10 year.

11 “(g) TECHNICAL ASSISTANCE.—The Secretary may
12 provide training, technical assistance, and consultations
13 with respect to the planning, development, and operation
14 of any program preventing secondary disabling conditions
15 in persons with disabilities.

16 “(h) PROVISION OF SUPPLIES AND SERVICES IN
17 LIEU OF FUNDS.—

18 “(1) IN GENERAL.—On the request of grantee
19 under subsection (a), the Secretary may, subject to
20 paragraph (2), provide supplies, equipment, and
21 services for the purpose of aiding the grantee in car-
22 rying out such subsection and, for such purpose,
23 may detail to the grantee any officer or employee of
24 the Department of Health and Human Services.

1 “(2) CORRESPONDING REDUCTION IN PAY-
2 MENTS.—With respect to a request described in
3 paragraph (1), the Secretary shall reduce the
4 amount of payments under subsection (a) to the
5 grantee by an amount equal to the costs of detailing
6 personnel (including pay, allowances, and travel ex-
7 penses) and the fair market value of any supplies,
8 equipment, or services provided by the Secretary.
9 The Secretary shall, for the payment of expenses in-
10 curred in complying with such request, expend the
11 amounts withheld.

12 “(i) EVALUATIONS AND REPORTS.—

13 “(1) EVALUATIONS.—The Secretary shall, di-
14 rectly or through contracts with public or private en-
15 tities, provide for evaluations of programs carried
16 out pursuant to subsection (a).

17 “(2) REPORTS.—The Secretary shall, not later
18 than 18 months after the date of the enactment of
19 the Health Promotion and Disease Prevention for
20 Persons with Disabilities Act, and annually there-
21 after, submit to the Congress a report summarizing
22 evaluations carried out pursuant to paragraph (1)
23 during the preceding fiscal year.

24 “(j) DEFINITIONS.—For purposes of this section:

1 “(1) The term ‘prevention of secondary condi-
2 tions’ means activities that address the causes of
3 secondary conditions and activities and refer to the
4 functional limitations involved and the elimination or
5 reduction of such limitations, including activities
6 that—

7 “(A) eliminate or reduce the factors that
8 cause or predispose a person with disabilities to
9 acquire secondary conditions or increase func-
10 tional limitations;

11 “(B) increase the early identification of ex-
12 isting problems to eliminate factors that create
13 or increase functional limitations;

14 “(C) mitigate against the effects of disabil-
15 ities throughout the life of the individual; and

16 “(D) implement programs of health pro-
17 motion, disease prevention and wellness to as-
18 sure the greatest degree of quality of life for
19 persons with disabilities.

20 “(k) AUTHORIZATION OF APPROPRIATIONS.—For the
21 purpose of making grants and contracts under this sec-
22 tion, there are authorized to be appropriated such sums
23 as may be necessary.”.

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